



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

March 26, 2019

Richard Carranza
Chancellor
New York City Department of Education
52 Chambers Street
New York, NY 10007

Lorraine Grillo
President and CEO
School Construction Authority
30-30 Thompson Avenue
Long Island City, NY 11101

Dear Chancellor Carranza and President Grillo,

Our office has been informed that the members of the School Siting Task Force (“Task Force”), which was created by Local Law 168 of 2018 and now codified as Section 4-212 of the New York City Administrative Code, have been appointed and that the Task Force has met at least once in private. It is my view, consistent with the attached March 18, 2019 advisory opinion from the New York State Committee On Open Government, that the Task Force is a “public body” whose meetings are subject to the requirements of the Open Meetings Law (OML).

As you know, membership on the Task Force, which consists almost exclusively of New York City Government officials or their designees, is expressly provided for by law, as are the particular functions (review of potential school sites) and end product (a report on the results of the review) of the Task Force.¹

Accordingly, the Task Force is a “public body” as defined by the OML, because it was created by Local Law 168 specifically to perform a “governmental function” on behalf of the City.² Under the OML, *every* meeting of a public body “shall be open to the general public.”³ Even if a particular matter qualifies for discussion in an executive session, an executive session can take place only within the context of a meeting that is otherwise open to the public.⁴

¹ See generally N.Y. City Admin. Code § 4-212

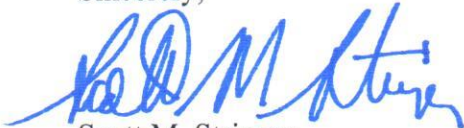
² See Public Officers Law § 102(2)

³ See Public Officers Law § 103(a)

⁴ See Public Officers Law § 105

Therefore, I ask that the Task Force refrain from conducting any of its meetings in private, open up all future Task Force meetings to the general public, and fully comply with all of the requirements of the OML.

Sincerely,



Scott M. Stringer
New York City Comptroller

Enclosure

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